

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

EDDIE J. HAYNES,

Plaintiff,

V.

CITY OF MONTGOMERY,

Defendant.

CASE NO. 2:06-cv-1093-WKW

VERDICT FORM

Ladies and Gentlemen of the Jury:

1. Do you find that Mr. Haynes proved by a preponderance of the evidence all of the elements of the “Regarded As” Having a Disability Claim?

Choose one: X YES NO

If you answered “yes,” you have found for Mr. Haynes on this claim, and you must answer the questions on page 4.

Now go to page 2.

- 2-A. Do you find that Mr. Haynes proved by a preponderance of the evidence all of the elements of the Medical Examinations Claim?

Choose one: _____ YES X NO

If you answered "yes," go to the next question.

If you answered "no," you have found for the City of Montgomery on this claim, and go to page 3 now.

- 2-B. Do you find that the City of Montgomery proved by a preponderance of the evidence all of the elements of the Business Necessity Defense with respect to the Medical Examinations Claim?

Choose one: _____ YES _____ NO

If you answered "no," you have found for Mr. Haynes on this claim, and you must answer questions on page 4.

If you answered "yes," you have found for the City of Montgomery on this claim.

Now go to page 3.

- 3-A. Do you find that Mr. Haynes proved by a preponderance of the evidence all of the elements of the Qualification Standards Claim?

Choose one: ~~_____~~ YES _____ NO

If you answered "yes," go to the next question.

If you answered "no," you have found for the City of Montgomery on this claim, and go to page 4 now.

- 3-B. Do you find that the City of Montgomery proved by a preponderance of the evidence all of the elements of the Business Necessity Defense with respect to the Qualification Standards Claim?

Choose one: _____ YES ~~_____~~ NO

If you answered "no," you have found for Mr. Haynes on this claim, and you must answer questions on page 4.

If you answered "yes," you have found for the City of Montgomery on this claim.

Now go to page 4.

**If you found for the City of Montgomery on all claims, then stop here.
Sign and date this form below and give it to the courtroom deputy.**

If you found for Mr. Haynes on any of the claims, then answer the following questions.

- 4-A. Do you find that Mr. Haynes should be awarded damages to compensate for a net loss of wages and benefits (or "back pay") to the date of trial?

Choose one: X YES NO

If your answered "yes," in what amount? \$ 90,000.00


- 4-B. Do you find that Mr. Haynes should be awarded damages to compensate for emotional pain and mental anguish?

Choose one: X YES NO

If your answered "yes," in what amount? \$ 270,000.00

**STOP HERE,
SIGN AND DATE THIS FORM BELOW,
AND GIVE IT TO THE COURTROOM DEPUTY.**

SO SAY WE ALL.


Foreperson

3-27-08
Date